THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.14297 of 2005

Dated:12.10.2006

Between
Edara Samrajyam

.....Petitioner

and

1.The Joint Collector, Ongole
Prakasam District and
others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.14297 of 2005

ORDER:

This writ petiton is filed seeking a Mandamus to declare the proceedings dated 2.6.2005 in Rc.F.41/2005 on the file of the 2nd respondent, suspending the authorization of the petitioner for the fair price shop of Nagaraju Kunta village, K.K.Mitla Mandal, Prakasam District, without issuing show cause notice to him, as arbitrary and illegal.

It appears that the petitioner was the fair price shop dealer of Nagaraju Kunta village, K.K.Mitla Mandal, Prakasam District. While so, on 12.5.2005 the Mandal Revenue Officer along with Panchayat Secretary inspected the shop of the petitioner on an application filed by cooking agency of mid day meal of Nagaraju Kunta village. On enquiry, it was revealed that the petitioner though lifted the stocks

from the civil supplies godown, but the same were not handed over to the cooking agency. The Mandal Revenue Officer verified the stocks and found that the dealer has lifted the stocks and distributed the commodities for the month of April, 2005. It is further asserted that no show cause notice has been issued and no enquiry has been conducted either under Section 6-A of the Essential Commodities Act or under the control order and the authorization of the petitioner is continued to be under suspension.

In the facts and circumstances of the case, without expressing any opinion on merits, the respondents are directed to complete the enquiry contemplated against the petitioner in the impugned proceedings within a period of four weeks from today, for any reason if the enquiry is not completed within stipulated time, the authorization of the petitioner shall stand restored without further loss of time .

Writ petition is disposed of accordingly. No costs.

12-10-2006

rkk